

**U.S. District Court
District of Columbia (Washington, DC)
CIVIL DOCKET FOR CASE #: 1:17-cv-00050-RCL**

KREMERS URBAN PHARMACEUTICALS INC. v. UNITED STATES FOOD AND DRUG ADMINISTRATION

Assigned to: Judge Royce C. Lamberth

Case: 1:17-cv-01998-RCL

Cause: 05:552 Freedom of Information Act

Plaintiff

**KREMERS URBAN
PHARMACEUTICALS INC.**

represented by **Brian D. Boone**
ALSTON & BIRD LLP
Bank of America Plaza
101 South Tryon Street
Suite 4000
Charlotte, NC 28280
(704) 444-1106
Fax: (707) 444-1111
Email: brian.boone@alston.com
ATTORNEY TO BE NOTICED

V.

Defendant

**UNITED STATES FOOD AND DRUG
ADMINISTRATION**

represented by **Paul Cirino**
U.S. ATTORNEY'S OFFICE FOR THE
DISTRICT OF COLUMBIA
555 Fourth Street, NW
Washington, DC 20530
(202) 252-2529
Fax: (202) 252-2599
Email: paul.cirino@usdoj.gov
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Damon William Taaffe
U.S. ATTORNEY'S OFFICE FOR THE
DISTRICT OF COLUMBIA
555 Fourth Street, NW
Washington, DC 20530
(202) 252-2544
Fax: (202) 252-2599
Email: damon.taaffe@usdoj.gov
TERMINATED: 05/07/2018

Joshua M. Kolsky
U.S. ATTORNEY'S OFFICE FOR THE
DISTRICT OF COLUMBIA
555 Fourth Street, NW
Washington, DC 20530
(202) 252-2541
Fax: (202) 252-2599
Email: joshua.kolsky@usdoj.gov
TERMINATED: 12/20/2018

Date Filed	#	Docket Text
01/10/2017	<u>1</u>	COMPLAINT against UNITED STATES FOOD AND DRUG ADMINISTRATION (Filing fee \$ 400 receipt number 0090-4801096) filed by KREMERS URBAN

		PHARMACEUTICALS INC.. (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Exhibit 2, # <u>3</u> Civil Cover Sheet, # <u>4</u> Summons, # <u>5</u> Summons, # <u>6</u> Summons)(Boone, Brian) (Entered: 01/10/2017)
01/10/2017	<u>2</u>	LCvR 7.1 CERTIFICATE OF DISCLOSURE of Corporate Affiliations and Financial Interests by KREMERS URBAN PHARMACEUTICALS INC. (Boone, Brian) (Entered: 01/10/2017)
01/10/2017	<u>3</u>	NOTICE of Appearance by Brian D. Boone on behalf of KREMERS URBAN PHARMACEUTICALS INC. (Boone, Brian) (Entered: 01/10/2017)
01/11/2017		Case Assigned to Judge Royce C. Lamberth. (zsb) (Entered: 01/11/2017)
01/11/2017	<u>4</u>	SUMMONS (3) Issued Electronically as to UNITED STATES FOOD AND DRUG ADMINISTRATION, U.S. Attorney and U.S. Attorney General (Attachment: # <u>1</u> Consent Form)(zsb) (Entered: 01/11/2017)
01/13/2017	<u>5</u>	RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed as to the United States Attorney. Date of Service Upon United States Attorney on 1/12/2017. Answer due for ALL FEDERAL DEFENDANTS by 2/11/2017. (Boone, Brian) (Entered: 01/13/2017)
01/13/2017	<u>6</u>	RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed. UNITED STATES FOOD AND DRUG ADMINISTRATION served on 1/12/2017 (Boone, Brian) (Entered: 01/13/2017)
01/13/2017	<u>7</u>	RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed on United States Attorney General. Date of Service Upon United States Attorney General 1/12/2017. (Boone, Brian) (Entered: 01/13/2017)
01/17/2017	<u>8</u>	NOTICE of Appearance by Damon William Taaffe on behalf of UNITED STATES FOOD AND DRUG ADMINISTRATION (Taaffe, Damon) (Entered: 01/17/2017)
02/13/2017	<u>9</u>	ANSWER to Complaint by UNITED STATES FOOD AND DRUG ADMINISTRATION.(Taaffe, Damon) (Entered: 02/13/2017)
03/02/2017	<u>10</u>	ORDER regarding dispositive motions. Signed by Judge Royce C. Lamberth on 2/28/2017. (lcrcl2) (Entered: 03/02/2017)
03/10/2017	<u>11</u>	Joint STATUS REPORT by UNITED STATES FOOD AND DRUG ADMINISTRATION. (Taaffe, Damon) (Entered: 03/10/2017)
03/13/2017	<u>12</u>	NOTICE of filing Joint Status Report with Exhibit by UNITED STATES FOOD AND DRUG ADMINISTRATION re <u>11</u> Status Report (Attachments: # <u>1</u> Exhibit Joint Status Report with Exhibit)(Taaffe, Damon) (Entered: 03/13/2017)
03/16/2017	<u>13</u>	ORDERED Defendant shall produce documents responsive to plaintiff's FOIA requests on a rolling basis. ORDERED parties shall file a joint status report every 90 days.. Signed by Judge Royce C. Lamberth on 3/14/17. (lcrcl1,) (Entered: 03/16/2017)
06/14/2017	<u>14</u>	Joint STATUS REPORT by UNITED STATES FOOD AND DRUG ADMINISTRATION. (Taaffe, Damon) (Entered: 06/14/2017)
09/12/2017	<u>15</u>	Joint STATUS REPORT by UNITED STATES FOOD AND DRUG ADMINISTRATION. (Taaffe, Damon) (Entered: 09/12/2017)
09/28/2017	<u>16</u>	NOTICE OF RELATED CASE by KREMERS URBAN PHARMACEUTICALS INC.. Case related to Case No. 1:17-cv-1998. (Boone, Brian) (Entered: 09/28/2017)
12/11/2017	<u>17</u>	STATUS REPORT by UNITED STATES FOOD AND DRUG ADMINISTRATION. (Taaffe, Damon) (Entered: 12/11/2017)
12/12/2017	<u>18</u>	STATUS REPORT by KREMERS URBAN PHARMACEUTICALS INC.. (Attachments: # <u>1</u> Exhibit)(Boone, Brian) (Entered: 12/12/2017)
02/05/2018	<u>19</u>	ORDER setting a deadline for the Defendant to file its Dispositive Motions by 2/19/2018. Signed by Judge Royce C. Lamberth on 2/2/18. (lsj) (Entered: 02/05/2018)
02/12/2018	<u>20</u>	Consent MOTION to Stay <i>Briefing Schedule</i> by UNITED STATES FOOD AND DRUG ADMINISTRATION (Taaffe, Damon) (Entered: 02/12/2018)

02/21/2018	<u>21</u>	NOTICE of Appearance by Joshua M. Kolsky on behalf of UNITED STATES FOOD AND DRUG ADMINISTRATION (Kolsky, Joshua) (Entered: 02/21/2018)
02/28/2018	<u>22</u>	Joint STATUS REPORT and Motion to Stay Scheduling Order by UNITED STATES FOOD AND DRUG ADMINISTRATION. (Kolsky, Joshua) (Entered: 02/28/2018)
02/28/2018	<u>23</u>	MOTION to Stay <i>Scheduling Order and Joint Status Report</i> by UNITED STATES FOOD AND DRUG ADMINISTRATION (Kolsky, Joshua) (Entered: 02/28/2018)
03/23/2018	<u>24</u>	ORDER granting <u>20</u> Motion to Stay for 30 days, nunc pro tunc. Signed by Judge Royce C. Lamberth on 3/22/18. (lsj) (Entered: 03/23/2018)
03/23/2018	<u>25</u>	ORDER granting <u>23</u> Motion to Stay Scheduling Order. Signed by Judge Royce C. Lamberth on 3/22/18. (lsj) (Entered: 03/26/2018)
05/07/2018	<u>26</u>	NOTICE OF WITHDRAWAL OF APPEARANCE as to UNITED STATES FOOD AND DRUG ADMINISTRATION. Attorney Damon William Taaffe terminated. (Taaffe, Damon) (Entered: 05/07/2018)
12/20/2018	<u>27</u>	NOTICE OF SUBSTITUTION OF COUNSEL by Paul Cirino on behalf of UNITED STATES FOOD AND DRUG ADMINISTRATION Substituting for attorney Joshua M. Kolsky (Cirino, Paul) (Entered: 12/20/2018)
01/30/2019	<u>28</u>	ORDER requiring the parties to meet and confer. Signed by Judge Royce C. Lamberth on 1/30/2019. (lcrcl2) (Entered: 01/30/2019)
02/27/2019	<u>29</u>	NOTICE of Proposed Order by UNITED STATES FOOD AND DRUG ADMINISTRATION (Cirino, Paul) (Entered: 02/27/2019)
04/12/2019	<u>30</u>	ORDER entered, nunc pro tunc. Signed by Judge Royce C. Lamberth on 4/11/2019. (lcrcl1) Modified on 4/15/2019 (zlsj). (Entered: 04/12/2019)
04/17/2019	<u>31</u>	Joint STATUS REPORT by UNITED STATES FOOD AND DRUG ADMINISTRATION. (Cirino, Paul) (Entered: 04/17/2019)
04/18/2019		MINUTE ORDER: Upon consideration of the April 17, 2019, Joint Status Report <u>31</u> , a further Joint Status Report shall be filed on or before May 31, 2019. Signed by Judge Royce C. Lamberth on 4/18/2019. (lcrcl1) (Entered: 04/18/2019)
04/25/2019		Set/Reset Deadlines: Joint Status Report due by 5/31/2019 (lsj) (Entered: 04/25/2019)
05/31/2019	<u>32</u>	Joint STATUS REPORT by UNITED STATES FOOD AND DRUG ADMINISTRATION. (Cirino, Paul) (Entered: 05/31/2019)
10/29/2019	<u>33</u>	Joint MOTION to Modify <i>Briefing Schedule</i> by UNITED STATES FOOD AND DRUG ADMINISTRATION (Attachments: # <u>1</u> Text of Proposed Order)(Cirino, Paul) (Entered: 10/29/2019)
10/30/2019	<u>34</u>	ORDER granting <u>33</u> Motion to Modify Briefing Schedule. Plaintiff will complete its review and present Defendant with a proposal to narrow the issues in dispute by December 18, 2019. Defendant will file any motion for summary judgment on February 5, 2020. Plaintiff will file any cross-motion for summary judgment and opposition to Defendant's motion on March 20, 2020. Defendant will file any opposition to Plaintiff's cross-motion and reply in support of its motion on April 21, 2020. Plaintiff will file any reply supporting its cross-motion on May 8, 2020. Signed by Judge Royce C. Lamberth on 10/30/2019. (lcrcl2) (Entered: 10/30/2019)
10/31/2019		Set/Reset Deadlines: Summary Judgment motions due by 2/5/2020. Response to Motion for Summary Judgment due by 3/20/2020. Reply to Motion for Summary Judgment due by 4/21/2020. Replies due by 5/8/2020. (lsj) (Entered: 10/31/2019)